

1636

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Khan et al.

Serial No.: 10/028,075

Filed: December 21, 2001

For: GENE REGULATOR

Confirmation No.: 1102

Examiner: T. McKelvey

Group Art Unit: 1636

Attorney Docket No.: 2183-5223US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 29, 2005

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

Foreign Patent Documents

Document No.

Publication Date

Patentee

WO 01/68113

09-20-2001

Monsanto Company

Serial No.: 10/028,075

Other Documents

PCT International Search Report, PCT/EP2005/003707, dated July 5, 2005.

This Supplemental Information Disclosure Statement is believed to be filed before the mailing date of the first Office Action on the merits subsequent to the filing of an RCE in the above-identified application.

I hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, and therefore no fee is due.

Respectfully submitted,

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Date: September 27, 2005

ACT/alb

Enclosures: Form PTO/SB/08

Copy of documents cited

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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| Substitute | ADEMAN PAPTO | | - | | Complete if Known | |
|------------|------------------|--------|-------------|------------------------|-------------------|--|
| INFO | ORMATION | l DI | SCLOSURE | Application Number | 10/028,075 | |
| STA' | TEMENT B | Y A | PPLICANT | Filing Date | December 21, 2001 | |
| | LEWIENTE | | I I EICH (I | First Named Inventor | Khan et al. | |
| | | | | Group Art Unit | 1636 | |
| | (use as many she | ets as | necessary) | Examiner Name | T. McKelvey | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 2183-5223US | |

| U.S. PATENT DOCUMENTS | | | | | |
|------------------------|--------------|--|--------------------------------|--|---|
| Examiner Initials * | 6. | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | Cite No.1 | Number - Kind Code ² (if known) | | | |
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| | FOREIGN PATENT DOCUMENTS | | | | | | |
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| Examiner | Cite | Foreign Patent Document | | Name of Patentee or | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | | |
| Initials* | No.1 | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Applicant of Cited Document | | T ⁶ | |
| | | WO 01/68113 | 09-20-2001 | Monsanto Company | | | |
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application Number 10/028,075

Filing Date December 21, 2001

First Named Inventor Khan et al.

Group Art Unit 1636

Examiner Name T. McKelvey

(use as many sheets as necessary)

Sheet 2 of 2 Attorney Docket Number 2183-5223LIS

| NON PATENT LITERATURE DOCUMENTS | | | | |
|---|--|---|--|--|
| Examiner Initials * Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | | |
| | | PCT International Search Report, PCT/EP2005/003707, dated July 5, 2005. | | |
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